



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Response  
Cofor  
6-26-03

In re Application of: )  
Froeberg, P. )  
Serial No.: 09/915,110 )  
Filing Date: July 24, 2001 )  
For: VEHICLE-BASED )  
DYNAMIC ADVERTISING )

Examiner: CUCHLINSKI, JR., W.

Art Unit: 3661

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GROUP 3600

Commissioner of Patents and Trademarks  
Washington, DC 20231

REMARKS IN RESPONSE TO ADVISORY ACTION

Dear Sir:

In response to the Advisory Action mailed May 7, 2003, and per the Request for Continued Examination filed herewith, Applicant requests consideration of the following remarks.

REMARKS

Claims 1-19 are pending.

Period for Reply and Extension Fees

The Office Action mailed December 23, 2002, included the form paragraph that states "In the event a first reply is filed within TWO months of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shorted statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee

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pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action."

Applicant respectfully notes that a reply to the final action was mailed on February 21, 2002, within two months of the mailing date of the final action. Accordingly, Applicant respectfully submits that the incorrect box is checked in the Advisory Action mailed May 7, 2003. In fact, box (b) should be checked, not box (a). As such, a one month extension fee is due.

The Agent for the Applicant (the undersigned) discussed this matter with Examiner Cuchlinski and found him in agreement. Applicant wishes to thank the Examiner for taking the time to address this issue.

Agent for the Applicant also discussed Claims 4, 11 and 18 with Examiner Cuchlinski. In particular, the Agent for the Applicant directed the Examiner to the discussion of Claims 4, 11 and 18 that was provided in the response to the final action and that is also included herein.

#### 102 Rejection

In the Office Action mailed December 23, 2002, Claims 1-19 were rejected under 35 U.S.C. § 102(b) as being anticipated by Cohen (US 6,060,993). The Applicant has reviewed the cited reference and respectfully submits that the present invention as recited in Claims 1-19 is neither anticipated nor rendered obvious by Cohen.

Independent Claim 1 recites that an embodiment of the present invention is directed to a "vehicle comprising ... a position determination system adapted to determine a position and a direction of travel of said vehicle" wherein content is selected "according to said position and said direction of travel." Claim 4 dependent on Claim 1 recites that the "position determination system comprises ... a digital compass adapted to determine said direction of travel ... and a satellite positioning system adapted to determine said position."

Independent Claim 8 recites that an embodiment of the present invention is directed to a "method comprising the steps of ... determining a position and a direction of travel of a mobile vehicle using a position and direction determination system" and "selecting content ... according to said position and said direction of travel." Claim 11 dependent on Claim 8 recites that the "position and direction determination system comprises a digital compass adapted to determine said direction of travel using said GPS information and a satellite positioning system adapted to determine said position using said GPS information."

Independent Claim 15 recites that an embodiment of the present invention is directed to a "method comprising the steps of ... selecting an item of said content according to a position and a direction of travel of said mobile vehicle ..., said position and said direction of travel determined using a position and direction determination system." Claim 18 dependent on Claim 15 recites that the "position and direction determination system comprises a digital compass adapted to determine said direction of travel using said GPS information and a satellite positioning system adapted to determine said position using said GPS information."

Cohen only shows a status monitor for monitoring direction of travel. Cohen does not show a position determination system (or a position and direction determination system) for determining direction of travel, as recited in independent Claims 1, 8 and 15. In fact, Cohen does not show or suggest any mechanism for determining direction of travel.

More specifically, Applicant respectfully submits that Cohen does not show or suggest a position determination system (or a position and direction determination system) comprising a digital compass as recited in Claims 4, 11 and 18. In fact, Cohen does not show or suggest any kind of compass.

Therefore, Applicant respectfully submits that Cohen does not show or suggest the present claimed invention as recited in Claims 1-19. Accordingly, Applicant respectfully submits that Claims 1-19 traverse the basis for rejection under 35 U.S.C. § 102(b).

### CONCLUSION

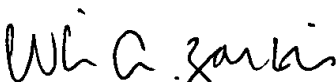
In light of the above remarks, reconsideration of the rejected Claims is respectfully requested.

Based on the arguments presented above, it is respectfully asserted that Claims 1-19 overcome the rejection of record and, therefore, allowance of these Claims is respectfully solicited.

The Examiner is invited to contact Applicant's undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Respectfully submitted,  
WAGNER, MURABITO & HAO LLP

Date: 6/2/03



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